



3738

Docket No.: 101896-31  
(PATENT)

#2

Prior Art  
S. Beyer  
2/2/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Michael J. O'Neil

Application No.: 09/955,680 - 1266

Group Art Unit: 3738

Filed: September 19, 2001

Examiner: David J. Isabella

For: ALIGNMENT VERIFICATION DEVICE  
AND METHOD OF USE

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Dated: January 16, 2002

Signature:

(Ronald E. Cahill)

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INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Pursuant to 37 CFR 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned.

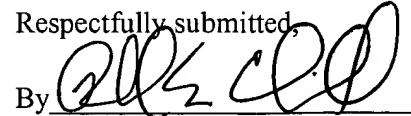
A copy of each reference on PTO/SB/08 is attached.

A summary/abstract translation of the non-English language reference is enclosed.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 141449, under Order No. 101896-31.

Dated: January 16, 2002

Respectfully submitted,

By 

Ronald E. Cahill

Registration No.: 38,403

NUTTER, MCCLENNEN & FISH, LLP

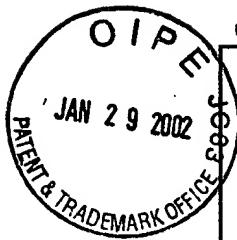
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Substitute for form 1449B/PTO				Complete if Known	
				Application Number	09/955,680-1266
				Filing Date	September 19, 2001
				First Named Inventor	Michael J. O'Neil
				Group Art Unit	3738
				Examiner Name	David J. Isabella
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101896-31					

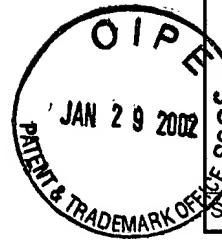
U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
AA	4,759,769	07/26/1988	Hedman et al.		
AB	5,246,458	09/21/1993	Graham		
AC	5,306,309	04/26/1994	Wagner et al.		
AD	5,431,658	07/11/1995	Moskovich		
AE	5,458,643	10/17/1995	Oka et al.		
AF	5,505,732	04/09/1996	Michelson		
AG	5,674,294	10/07/1997	Bainville et al.		
AH	5,683,465	11/04/1997	Shinn et al.		
AI	5,893,889	04/13/1999	Harrington		
AJ	6,059,790	05/09/2000	Sand et al.		
AK	4,599,086	07/08/1986	Doty		
AL	4,743,256	05/10/1988	Brantigan		
AM	4,878,915	11/07/1989	Brantigan		
AN	5,397,364	03/14/1995	Kozak et al.		
AO	5,425,772	06/20/1995	Brantigan		
AP	5,443,515	08/22/1995	Cohen et al.		
AQ	5,522,899	06/04/1996	Michelson		
AR	5,607,424	03/04/1997	Tropiano		
AS	5,658,335	08/19/1997	Allen		
AT	5,716,415	02/10/1998	Steffee		
AU	5,755,798	05/26/1998	Papavero et al.		
AV	5,766,252	06/16/1998	Henry et al.		
AW	5,782,832	07/21/1998	Larsen et al.		
AX	5,800,550	09/01/1998	Sertich		
AY	5,824,094	10/10/1998	Serhan et al.		
AZ	5,861,041	01/19/1999	Tienboon		
AA1	5,888,228	03/30/1999	Knothe et al.		
AB1	5,904,683	05/18/1999	Pohndorf et al.		
AC1	5,961,554	10/05/1999	Janson et al.		
AD1	5,964,807	10/12/1999	Gan et al.		
AE1	5,976,187	11/02/1999	Richelsoph		
AF1	6,019,793	02/01/2000	Perren et al.		
AG1	6,045,579	04/04/2000	Hochshuler et al.		
AH1	6,080,193	06/27/2000	Hochshuler et al.		
AI1	6,093,205	07/25/2000	McLeod et al.		
AJ1	6,096,080	08/01/2000	Nicholson et al.		
AK1	6,113,638	09/05/2000	Williams et al.		
AL1	6,120,503	09/19/2000	Michelson		
AM1	6,156,037	12/05/2000	LeHuec et al.		
AN1	6,176,882	01/23/2001	Biedermann et al.		
AO1	6,168,596	01/02/2001	Wellisz		
AP1	4,272,855	06/16/1981	Frey		
AQ1	4,349,921	09/21/1982	Kuntz		
AR1	4,627,853	12/09/1986	Campbell et al.		
AS1	4,678,470	07/07/1987	Nashef et al.		

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Substitute for form 1449B/PTO

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(use as many sheets as necessary)

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of

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Complete If Known	
Application Number	09/955,680-1266
Filing Date	September 19, 2001
First Named Inventor	Michael J. O'Neil
Group Art Unit	3738
Examiner Name	David J. Isabella
Attorney Docket Number	101896-31

AT1	4,685,919	08/11/1987	Niwa et al.	
AU1	4,834,757	05/30/1989	Brantigan	
AV1	4,950,296	08/21/1990	McIntyre	
AW1	5,053,049	10/01/1991	Campbell	
AX1	5,092,893	03/03/1992	Smith	
AY1	5,192,327	03/09/1993	Brantigan	
AZ1	5,275,954	01/04/1994	Wolfinbarger et al.	
AA2	5,306,303	04/26/1994	Lynch	
AB2	5,306,307	04/26/1994	Senter et al.	
AC2	5,306,308	04/26/1994	Gross et al.	
AD2	5,306,309	04/26/1994	Wagner et al.	
AE2	5,443,514	08/22/1995	Steffee	
AF2	5,514,180	05/07/1996	Heggeness et al.	
AG2	5,534,030	07/09/1996	Navarro et al.	
AH2	5,556,379	09/17/1996	Wolfinbarger	
AI2	5,609,635	03/11/1997	Michelson	
AJ2	5,609,637	03/11/1997	Biedermann et al.	
AK2	5,658,337	08/19/1997	Kohrs et al.	
AL2	5,702,449	12/30/1997	McKay	
AM2	5,702,455	12/30/1997	Saggar	
AN2	5,722,977	03/03/1998	Wilhelmy	
AO2	5,725,579	03/10/1998	Fages et al.	
AP2	5,728,159	03/17/1998	Stroever et al.	
AQ2	5,741,253	04/21/1998	Michelson	
AR2	5,766,253	06/16/1998	Brosnahan, III	
AS2	5,776,199	07/07/1998	Michelson	
AT2	5,785,710	07/28/1998	Michelson	
AU2	5,797,871	08/25/1998	Wolfinbarger, Jr.	
AV2	5,814,084	09/29/1998	Grivas et al.	
AW2	5,820,581	10/13/1998	Wolfinbarger, Jr.	
AX2	5,865,845	02/02/1999	Thalgott	
AY2	5,888,222	03/30/1999	Coates et al.	
AZ2	5,888,227	03/30/1999	Cottle	
AA3	5,897,593	04/27/1999	Kohrs et al.	
AB3	5,972,368	10/26/1999	McKay	
AC3	5,989,289	11/23/1999	Coates et al.	
AD3	6,143,033	11/07/2000	Paul et al.	
AE3	4,034,746	07/12/1977	Williams	
AF3	4,337,576	07/06/1982	Drost et al.	
AG3	4,369,788	01/25/1983	Goald	
AH3	4,444,184	04/24/1984	Oretorp	
AI3	4,545,374	10/08/1985	Jacobson	
AJ3	4,660,287	04/28/1987	Decker	
AK3	4,730,613	03/15/1988	Gordy	
AL3	4,735,202	04/05/1988	Williams	
AM3	4,772,287	09/20/1988	Ray et al.	

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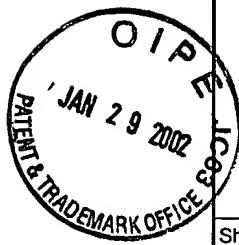


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Sheet	3	of	5	Attorney Docket Number	101896-31

AN3	4,997,432	03/05/1991	Keller		
AO3	5,019,081	05/28/1991	Watanabe		
AP3	5,020,519	06/04/1991	Hayes et al.		
AQ3	5,055,104	10/08/1991	Ray		
AR3	5,059,194	10/22/1991	Michelson		
AS3	5,122,130	06/16/1992	Keller		
AT3	5,213,112	05/25/1993	Niwa et al.		
AU3	5,254,128	10/19/1993	Mesa		
AV3	5,292,329	03/08/1994	Werner		
AW3	5,306,309	04/26/1994	Wagner et al.		
AX3	5,314,477	05/24/1994	Marnay		
AY3	5,403,337	04/04/1995	Platts		
AZ3	5,423,843	06/13/1995	Werner		
AA4	5,431,658	07/11/1995	Moskovich		
AB4	5,431,672	07/11/1995	Cote et al.		
AC4	5,443,514	08/22/1995	Steffee		
AD4	5,481,804	01/09/1996	Platts		
AE4	5,484,437	01/16/1996	Michelson		
AF4	5,496,340	03/05/1996	Abidin et al.		
AG4	5,015,247	05/14/1991	Michelson		
AH4	5,122,130	06/16/1992	Keller		
AI4	5,139,507	08/18/1992	Dolgin et al.		
AJ4	5,505,732	04/09/1996	Michelson		
AK4	5,531,754	07/02/1996	Shackelford, Sr. et al.		
AL4	5,562,736	10/08/1996	Ray et al.		
AM4	5,569,281	10/29/1996	Abidin et al.		
AN4	5,569,282	10/29/1996	Werner		
AO4	5,571,109	11/05/1996	Bertagnoli		
AP4	5,599,351	02/04/1997	Haber et al.		
AQ4	5,620,454	04/15/1997	Pierce et al.		
AR4	5,645,597	07/08/1997	Krapiva		
AS4	5,665,099	09/09/1997	Pilo et al.		
AT4	5,683,407	11/04/1997	Jolly et al.		
AU4	5,683,464	11/04/1997	Wagner et al.		
AV4	5,720,751	02/24/1998	Jackson		
AW4	5,730,751	03/24/1998	Dillon et al.		
AX4	5,752,968	05/19/1998	Jolly et al.		
AY4	5,766,252	06/16/1998	Henry et al.		
AZ4	5,779,724	07/14/1998	Werner		
AA5	5,782,830	07/21/1998	Farris		
AB5	5,792,162	08/11/1998	Jolly et al.		
AC5	5,797,909	08/25/1998	Michelson		
AD5	5,827,309	10/27/1998	Jolly et al.		
AE5	5,868,771	02/09/1999	Herbert et al.		
AF5	5,885,299	03/23/1999	Winslow et al.		
AG5	5,885,300	03/23/1999	Tokuhashi et al.		

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Sheet	4	of	5	Attorney Docket Number	101896-31

AH5	5,888,224	03/30/1999	Beckers et al.	
AI5	5,899,901	05/04/1999	Middleton	
AJ5	5,908,432	06/01/1999	Pan	
AK5	5,957,927	09/28/1999	Magee et al.	
AL5	6,004,326	12/21/1999	Castro et al.	
AM5	6,015,419	01/18/2000	Strome et al.	
AN5	6,022,364	02/08/2000	Flumene et al.	
AO5	6,042,582	03/28/2000	Ray	
AP5	6,063,088	05/16/2000	Winslow	
AQ5	6,066,174	05/23/2000	Farris	
AR5	6,080,155	06/27/2000	Michelson	
AS5	6,083,225	07/04/2000	Winslow et al.	
AT5	6,083,228	07/04/2000	Michelson	
AU5	6,096,038	08/01/2000	Michelson	
AV5	6,113,602	09/05/2000	Sand	
AW5	6,117,174	09/12/2000	Nolan	
AX5	3,486,505	12/30/1969	Morrison	
AY5	4,545,374	10/08/1985	Jacobson	
AZ5	4,898,161	02/06/1990	Grundei	
AA6	5,020,519	06/04/1991	Hayes et al.	
AB6	5,800,438	09/01/1998	Tuke et al.	
AC6	5,935,151	08/10/1999	Broughton et al.	
AD6	5,951,564	09/14/1999	Schroder et al.	
AE6	6,080,155	06/27/2000	Michelson	
AF6	6,159,215	12/12/2000	Urbahns et al.	

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FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)			
BA	EP 0538183		04/21/1993		
BB	FR 2703580		10/14/1994		
BC	WO 9426213		11/24/1994		
BD	WO 9508306		03/30/1995		
BE	WO 9817209		04/30/1998		
BF	WO 9855052		12/10/1998		
BG	WO 9856319		12/17/1998		
BH	WO 9856433		12/17/1998		
BI	EP 0880938		12/02/1998		

Substitute for form 1449B/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				Application Number	09/955,680-1266
(use as many sheets as necessary)				Filing Date	September 19, 2001
Sheet	5	of	5	First Named Inventor	Michael J. O'Neil
				Group Art Unit	3738
				Examiner Name	David J. Isabella
				Attorney Docket Number	101896-31

<b>OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
	CA	Depuy, "Keystone Graft Instruments Anterior Cervical Surgical Technique," <i>Technical Manual</i> , Motech			
Examiner Signature				Date Considered	

<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>2</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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